United Nations S/PV.7473

Security Council

Seventieth year

Provisional

7473rd meeting
Friday, 26 June 2015, 3 p.m.
New York

President:	Mr. Ibrahim	(Malaysia)
Members:	Angola	Mr. Gaspar Martins
	Chad	Mr. Gombo
	Chile	Mr. Olguín Cigarroa
	China	Mr. Xu Zhongsheng
	France	Mr. Bertoux
	Jordan	Mr. Hmoud
	Lithuania	Mrs. Hampe
	New Zealand	Mr. Van Bohemen
	Nigeria	Mr. Adamu
	Russian Federation	Mr. Iliichev
	Spain	Mr. González de Linares Palou
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Mr. Pressman
	Venezuela (Bolivarian Republic of)	Mr. Méndez Graterol

Agenda

The situation in Burundi

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council. Corrections* should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

15-19684 (E)

Accessible document Please recycle

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Burundi

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Burundi to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

After consultations among Council members, I have been authorized to make the following statement on their behalf. I quote:

"The Security Council reiterates its deep concern regarding the grave security and political situation in Burundi against the backdrop of the forthcoming, communal, presidential and senatorial elections and for the impact of the crisis in the region. The Security Council strongly condemns all acts of violence and human rights violations and abuses and recalls that those responsible for such violence should be held accountable and brought to justice.

"The Security Council welcomes the regional and subregional efforts aimed at addressing the crisis, and in this regard takes note of the East African Community (EAC) summits, held on 13 May and on 31 May 2015 in Dar es-Salaam, of the communiqué issued by the African Union Peace and Security Council after its Summit, held on 13 June 2015 in Johannesburg, South Africa, and of the letters sent by the Government of Burundi to the Security Council.

"The Security Council pays tribute to the relentless efforts of the Special Envoy of the Secretary-General for the Great Lakes Region, Said Djinnit, and recalls that Burundian stakeholders had made some progress in a difficult dialogue, thanks to Special Envoy Djinnit's able facilitation.

"The Security Council takes note of the African Union's (AU) statement that the political dialogue has not produced expected results and that the current situation could jeopardize the important gains recorded following the signing of the Arusha Agreement for Peace and Reconciliation in Burundi and the Global Ceasefire agreement of 2003, and affect the stability of the region.

"The Security Council welcomes the resumption of the dialogue between all the Burundian parties, under the facilitation of the AU, the United Nations, the EAC and the International Conference on the Great Lakes Region. In this regard, the Security Council welcomes the appointment of Professor Ibrahima Fall by the AU, as the new Special Representative of the chairperson of the Commission for the Great Lakes region and Head of the AU Liaison office in Bujumbura. The Security Council also welcomes the arrival in Bujumbura of the United Nations Special Representative of the Secretary-General for Central Africa and Head of the United Nations Regional Office for Central Africa, Abdoulaye Bathily, which allows for the international mediation to immediately assist all Burundian parties to expedite the search for a consensual political solution to the crisis.

"While acknowledging that further steps must continue to be taken by parties to adhere to the decisions taken by the EAC and the AU Peace and Security Council, the Council calls on the Burundian parties to urgently participate in an inclusive dialogue which should focus, in the spirit of the Arusha Agreements and the Constitution, on the measures to be taken to create conditions conducive to the organization of free, fair, transparent and credible elections.

"The Council takes note of the statement in the AU Peace and Security Council communiqué of 13 June that the date of the election should be set by consensus between the Burundian parties, in the spirit of the EAC's communiqué of 31 May 2015 requesting a postponement of the elections, and on the basis of a technical assessment to be undertaken by the United Nations.

"The Security Council emphasizes that the dialogue should address all matters on which the parties disagree. The Security Council further emphasizes that this dialogue should address concerns related to the reinstatement of private media; the protection of human rights and fundamental freedoms, in particular freedoms of expression and of peaceful assembly, including for members of the political opposition to campaign freely, as guaranteed by the Constitution of

Burundi; the release of those arbitrarily detained following demonstrations; the respect for the rule of the law; and the urgent disarmament of all armed youth groups allied with political parties, as reflected in the conditions of the EAC communiqué of 31 May 2015, conditions to be met prior to the holding of elections.

"The Security Council welcomes the commitment of the AU and the Chairperson of the AU Commission to fully assume the responsibilities stemming from its role as Guarantor of the Arusha Agreement, as well as that of the region not to stand by in case the situation deteriorates.

"In this regard, the Security Council welcomes the decision of the AU to immediately deploy human rights observers and other civilian personnel; to deploy AU military experts to verify the process of disarming of all armed youth groups allied with political parties, which will submit regular reports on the implementation of the disarmament process, and to deploy an AU election observer mission if conditions for the organization of free, fair, transparent and credible elections are met. The Council urges the Government of Burundi and other relevant actors to extend their full cooperation to these processes.

"The Security Council also welcomes the AU Peace and Security Council's decision to send, by the first week of July, a ministerial delegation including the Commission, to assess the implementation of the conditions required by EAC, the AU and the Council for the holding of the elections.

"The Council calls on the Electoral Mission of the United Nations in Burundi to fully and actively pursue the implementation of its mandate in accordance with resolution 2137 (2014), including to swiftly report to the Security Council before, during and after the elections

"The Security Council reiterates its concern about the difficult situation of the Burundian refugees who fled their country into the neighbouring States, commends the host countries (the Democratic Republic of the Congo, Rwanda and the United Republic of Tanzania), as well as humanitarian agencies, for their support to the affected populations, and calls upon the international community to provide the necessary humanitarian assistance. The Council urges the Government of Burundi to create the conditions conducive to their early return.

"The Security Council calls on all actors in the region to preserve the safety and security of populations in the region."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2015/13.

I now give the floor to the representative of Burundi.

Mr. Shingiro (Burundi) (*spoke in French*): Naturally, before I begin my statement, I would like to thank you, Mr. President, for having convened this emergency meeting on the situation in Burundi, during which the Council adopted a presidential statement on the situation (S/PRST/2015/13). Allow me to also welcome the presence of Mr. Feltman, Under-Secretary-General for Political Affairs, with whom I meet often to discuss the situation in my country.

The Government of the Republic of Burundi fully appreciates the efforts undertaken by the international community to support the Burundian people on their path towards free, inclusive and peaceful elections. It is within that framework that the Government of Burundi welcomed the appointment of a new facilitator, namely, Mr. Abdoulaye Bathily, after his predecessor, Said Djinnit, was forced to step down by opposition parties hostile to the holding of elections.

With respect to the electoral timetable, the Government has accepted a postponement of the elections three times, following recommendations by various partners, including the Summit of Heads of State of East Africa, which was held in Dar es-Salaam, United Republic of Tanzania, on 31 May 2015. That was done to provide the necessary time to the political parties that had refused to participate in the elections and, as a result, were not prepared for them.

Nevertheless, given the fact that, in any of the countries represented here today, elections are the basis for independent democracy, even if the Government agreed to the principle of dialogue with all political partners, such a dialogue could not take place outside the parameters of the Constitution. If it did, the authority responsible for holding the elections, in other words, the head of State, would be accused of high treason under article 117 of the Constitution, on which, of course, he swore an oath before taking up his functions as President of the Republic.

Furthermore, the people of Burundi, our political partners and the political coalitions present on the ground, which have been in full campaign mode for more than two months now, are tired of the successive postponements of the elections and are increasingly impatient and eager to start the elections. They cannot accept that their leaders' civic rights are being violated according to the whims of certain political parties and certain ill-intentioned private individuals who wish to further postpone this major electoral event in our country.

Therefore, as already stated, the following timetable is one that has been pushed back as far as constitutionally acceptable to avoid a constitutional vacuum and political disorder. First, the election of communal counsellors and deputies will be held on 29 June 2015, that is, on Monday. The electoral campaigns for those communal administrative elections ended today. Then the election of the President of the Republic will take place on 15 July 2015 and the election of senators on 24 July 2015. That whole calendar takes into consideration the constitutional limits and deadlines. Postponing the elections beyond those dates would leave the Government in a constitutional vacuum, which no one wants.

The Government of Burundi is surprised by the behaviour of those politicians who dare to say that they would like the elections to be postponed once again. We wonder what kind of postponement they want at this precise moment. They also say that they want an electoral calendar based on a consensus among all stakeholders. We would wish to inform you, Mr. President, that the Constitution of Burundi makes no provision for the consensual establishment by politicians of the electoral calendar. It is the prerogative of the Independent National Electoral Commission to establish that calendar, as stipulated in article 91 of the Constitution; any other approach would breach the Constitution. The Commission, which is responsible for organizing elections, has been able to comply with that provision. It consulted the stakeholders on 8 June, and the discussions at that meeting were taken into account when the current electoral calendar, which is quite simply the last one possible under the Constitution of the Republic of Burundi, was drafted.

In accordance with the current electoral process and taking account of the radical opposition's intransigence in wanting to postpone the elections at every turn, the Government of Burundi had to choose one of two options. The first was to postpone the elections and voluntarily accept being left in a constitutional vacuum, the repercussions of which no one has so far been able to predict. The second option was to proceed with the elections as planned, in accordance with the calendar resulting from the third postponement, which complied with the recommendations and conclusions of the ministers of the East African Community (EAC) and South Africa, who visited Burundi on 16 June to assess the implementation of the recommendations of the EAC Summit, held in Dar es-Salaam, Tanzania. The Summit recommendations were that the Government of Burundi should follow the current timetable, because the first two postponements were sufficient, and that it should respect the constitutional deadlines on account of the constitutional vacuum that could ensue after 7 July, at the end of the term of the communal councils, the only bodies authorized to elect members of Parliament. All of the foregoing is by way of explanation of the Government's approach, which is to proceed with the elections within the deadlines set in the Constitution.

With regard to the recommended political dialogue, I would remind delegations that the Government's successive postponements of the elections and the measure suspending the implementation of the warrants for the arrest of the organizers of the violent demonstrations are further proof of the Government's good faith, while the opposition has made no such gestures in return. The Government, then, is making every effort and many concessions, whereas opposition groups, behaving like spoilt, demanding children, have been unable to make concessions and their attitude has become more uncompromising over time. They have gone as far as to call into question Mr. Djinnit, not for objective reasons but simply to delay the dialogue.

That dialogue, which is also part of the peace process, will of course be held, even after the elections, which are essential to lasting peace. The Government is waiting only for the arrival in Burundi of the team appointed at the Summit of Heads of State of the East African Community to steer the dialogue so that it can monitor the situation closely from Bujumbura.

As for the security climate of the elections, the programme for the disarmament of the civilian population is functioning as it should, and the Government would like to point out that two instructions were issued to the National Disarmament Commission just after the Dar es-Salaam Summit: first, to increase the rate of recovery of all weapons held by

groups affiliated with the political parties. In addition to the 100,000 weapons already recovered by the forces of law and order, the Government has recently been able to accelerate such recovery to stabilize the security situation in the country for the establishment of a favourable climate for the elections. Secondly, to achieve even better results, the Government has invited all social partners to contribute to that recovery so that no one feels excluded from security matters, particularly in this very sensitive electoral period. The Government would like to assure the population and the international observers that every effort has been made to ensure security at every stage of the elections.

The part of the current electoral campaign that concerns the administrative communes has finished, but the campaign as a whole is ongoing, and all political parties, or at least the majority, are participating, except for the radical opposition. I can also inform you that more political parties are participating in this campaign than in 2010.

The Government is making particular efforts to enable refugees to return. It has already dispatched delegations, including at the ministerial level, to neighbouring countries to encourage refugees, who are fleeing not war but rumours, so that they can return. Between 35,000 and 40,000 refugees have already returned to Burundi, a considerable number.

Before I end my statement, I would like to return quickly to certain aspects of the regional dimension, something to which I repeatedly refer. A team of EAC ministers, dispatched by the heads of State of the region and South Africa, visited Burundi on 16 June to evaluate the implementation of the recommendations of the 31 May Summit. The ministers concluded that the current electoral calendar should be respected and that any further postponement would not be productive. When proposals are received from outside Africa for the postponement of the elections, which are due to be held in 48 hours, we can only wonder why there are such divergences in regional positions. Since the ministers who recommended adherence to the current calendar were dispatched by the heads of State, to contradict such special delegates would call into question those heads of State. It is important that the decisions of regional stakeholders be respected. No one can claim to love the Arusha Agreement for Peace and Reconciliation in Burundi more than the Tanzanians. The Agreement was negotiated and signed in Arusha, Tanzania, and the Tanzanians are its guarantors. They know us; we were once refugees in Tanzania, so no one can claim to uphold the Agreement better than the Tanzanians, South Africans or others in the region. If the Tanzanians, therefore, propose a calendar on behalf of EAC, it should be accepted by everyone, because the Tanzanians know the region better than anyone.

I must also mention one important point very quickly. You know what is happening in our country; sometimes we read about it on the Internet, sometimes we read reports, but a certain amount regarding the situation has been left unsaid. We are aware of what I might describe as macabre plans, drawn up by some of our partners — a minority, since the majority of our partners act in good faith — with a view to applying in Burundi the same plan as in Burkina Faso. That plan consists in provoking violent demonstrations, which are to be followed by chaos and, subsequently, a coup d'état to resolve the chaos, followed in turn by a transitional Government, precisely in line with the model used in Burkina Faso. Burundi, however, resisted the 13 May coup d'état, and the plan, designed to establish a transitional Government and impose on Burundi the leaders favoured by those partners, failed. We have documentary proof to that effect. Their current plan is also designed to apply the approach followed in Côte d'Ivoire. It would consist in endlessly postponing the elections in Burundi in order to bring about a constitutional vacuum. That vacuum would culminate in a very weak transitional Government, which could lead to rebellions breaking out left and right, which would ultimately lead to the kind of situation that occurred in Côte d'Ivoire, and we all know how that worked out.

In such a situation, the Government of Burundi is responsible for the security and peace of its people. It cannot resign itself to collapsing into an institutional vacuum and the abyss that would clearly result. That is why we will press on with our elections on Monday in order to enable the overwhelming majority of the population — more than 95 per cent wish to see the elections held — not to be held hostage by a radical minority that does not want elections and that wants a transitional Government, so it can take office without going to the polls. That is the situation. Those are the two plans that exist, as can clearly be seen. I wanted to share that with the Council rather than keep it to myself.

In conclusion, I would like to inform the Council that, unfortunately, some of our troops deployed with the African Union Mission in Somalia have been attacked

and have died on the field of battle. Our soldiers have done excellent work in Somalia in order to help our brothers there restore peace, and we are always ready to sacrifice our troops in order to achieve our shared goal of restoring peace in brother countries such as Somalia. Such attacks, rather than discouraging our troops, have worked to redouble their energy and determination to help eliminate Al-Shabaab.

The meeting rose at 3.30 p.m.